


NPCR 1194



Map Legend

MIDTOWN
GREENWAY
COALITION

NEIGHBORHOODS FOR A GREAT GREENWAY

0.2 0 0.2 0.4 Miles

September, 2005

Neighborhood Planning for Community Revitalization (NPCR) supported the work of the author of this work, but has not reviewed it for publication.

The content is solely the responsibility of the author and is not necessarily endorsed by NPCR.

NPCR is coordinated by the Center for Urban and Regional Affairs at the University of Minnesota. NPCR is supported by grants from The Minneapolis Foundation, the McKnight Foundation, The Bremer Foundation, and The St. Paul Travelers Foundation.

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Acknowledgements

June 2002

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The author thanks the following for assistance during research: Eric Hart, Tim Springer, Kevin Krizek, Jason Ziehm, and Charles Mahron.

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Midtown Greenway Zoning Overlay District Evaluation

Executive Summary

The Midtown Greenway (MG) is an example of how transportation, in this case, off-road, urban bike and walking trails, can influence land use changes. A proposed zoning overlay district is being pursued by the Midtown Greenway Coalition to create a safe, accessible, and pleasant environment for the trail as well as plan ahead to accommodate future mass transit that will some day run alongside the trail. The rehabilitation of the 29th Street Corridor into the Midtown Greenway is motivating new and continuing efforts to reuse existing public infrastructure, improve transportation options, and provide large tracts of open greenspace, simultaneously acting as a catalyst for sustainable land use changes. The proposed Midtown Greenway Zoning Overlay District (MGZOD) calls for land use and urban design changes along the Greenway that are more compatible with a pedestrian and bike trail.

Land use is altered by a small percentage by the overlay district. The only type of zoning district that is prohibited by the overlay is General Industrial (I3), which includes heavy and toxic industrial uses. Under current zoning code, this district is not included in any part of the proposed overlay. Many of the design elements required in the overlay will not apply to single family and duplex housing, therefore potential eliminating any economic hardships that may occur in meeting code. The overlay district will assist in guiding Greenway-focused development, both public and private. The design standards for the Greenway will improve aesthetic qualities and benefit the safety of the corridor, while changes proposed by the MGZOD will not significantly alter the composition of land use within the zoning district.

Methodology

This report spatially describes the Midtown Greenway and surrounding areas in south Minneapolis including zoning districts, land use, and non-conforming uses. The provisions of the proposed Midtown Greenway Zoning Overlay District are evaluated as to how land use would be impacted with implementation. Maps of the zoning overlay district aid in evaluating the overall effect of the MGZOD. Data used in the maps was obtained through the Minneapolis Neighborhood Information System (MNIS), a collaboration of the City of Minneapolis, the Center for Urban and Regional Affairs (CURA), and neighborhood groups. Metadata information is not included in this report, but can be obtained through the city or CURA.

Picture 1. Phase I Greenway near West Lake St.



Midtown Greenway Coalition Photo

Midtown Greenway Stakeholders

The Midtown Greenway is a project of Hennepin County as owner of the railroad corridor and by the City of Minneapolis as the agency responsible for maintaining the cycling and walking trails. Also, the Midtown Community Works Partnership, comprised of public and private members coordinates public and private investment in the Lake Street/Midtown Greenway corridor. The Midtown Greenway Coalition (hereafter referred to as the Coalition) an organization of Greenway neighborhoods, supports community involvement along and surrounding the corridor. The work of these groups initiated the creation of the Greenway as a bike and pedestrian trail.

The Hennepin County Regional Railroad Authority (HCRRA) was established in 1980 as a political subdivision and local government unit of Minnesota. It was established as a separate political entity to plan, design and implement light rail transit in Hennepin County. The HCRRA is responsible for rail transit planning in the county and supports the planning of rail transit in the region through participation on corridor management teams with municipalities and the Metropolitan Council. The HCRRA maintains over 47 miles of rail corridor that accommodates 43 miles of bicycle and pedestrian trails. The Authority also leases 77 properties to private and public entities. Hennepin County owns the Greenway corridor in Phase I and Phase II and may obtain ownership of some or all of the corridor width for Phase III. The long-term plan for Phases I and II is for the trails to co-exist alongside mass transit. The long-term plan for Phase III is for the trails to co-exist alongside freight rail.

Midtown Community Works Partnership is a public/private board consisting of local business leaders, and elected and appointed officials. Hennepin County, the City of Minneapolis, and the Metropolitan Council formed this partnership to integrate planning, and mobilize resources for the Greenway. The MCWP is comprised of members of corporations and non-profit institutions, elected officials of Minneapolis, the Metropolitan Council Chair, and Hennepin County Board of Commissioners. The organization meets quarterly to discuss county progress in regards to construction and other capital improvement plans related to the Greenway, and promotes the Greenway as an amenity and development tool to the business community.

Picture 2. Greenway in Phase II



Midtown Greenway Coalition photo

Figure 1

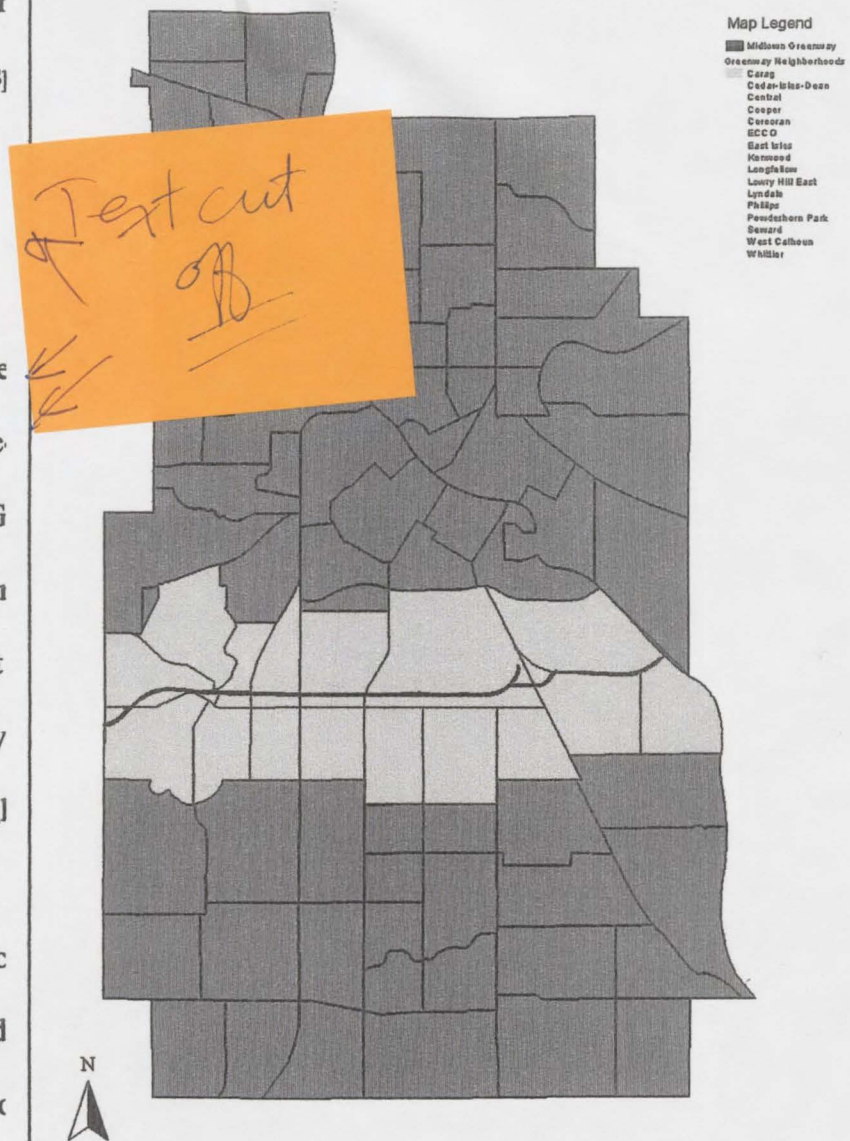
Midtown Greenway Coalition was formed in 1992 with concerned neighbors. The Greenway are represented by coalition. The organization works with the Greenway. Coalition programs include land use, transit and greens involvement within and for the corridor.

Characteristic of the Midtown Greenway

The Midtown Greenway runs through south Minneapolis along a former early part of the 20th century to safely link the railroad to the growing corridor utilized for freight rail up until 2001, and little activity occurred until General II. Hennepin County began to buy the rail corridor properties in the early 1990s. While Hennepin County has no pending plans for implementing transit, Hennepin County commissioned a feasibility study of bus transit or another study on its own study of rail trolleys as well, focusing on a system with some single

The Greenway runs the length of the southern portion city of Minneapolis near the city of St. Louis Park and ending (eventually) before a railroad approximately 5.5 miles. Greenway construction has been divided into

Midtown Greenway in Minneapolis



MIDTOWN GREENWAY COALITION

NPCR

CURA

Data set: City of Minneapolis
Prepared by: Molly McCartney

Phase II to be completed by 2003, and Phase III land to be obtained and constructed by 2004. The total acreage of the complete Greenway is approximately 50 acres.

The path of Phase I and II runs mostly along the 29th Street corridor. Since the 29th Street corridor was excavated to facilitate safer rail use¹, the Greenway is below grade for much of its layout, as shown in Picture 3. From west to east, the Greenway is at grade until about Dean Parkway, then elevated until about James Avenue, at grade to about Hennepin Avenue, in a trench (below grade) to about Cedar Avenue, at grade to about 30th Avenue, and elevated as it approaches the Mississippi River. Since much of the trail is out of sight, safety of trail users has been a major concern for all parties involved.

Perceived and real safety concerns need to be addressed with trail layout and amenities such as lighting and other design elements. Phase I has lights and emergency telephone boxes placed along the trail, and these amenities will be used in subsequent phases as

well. Some design requirements of the ZOD address safety concerns by utilizing aspects of crime prevention through environmental design (CPTED). The City of Minneapolis has completed plans for Phase II of the Midtown Greenway and under the project's current schedule the Greenway will extend through Phase II by the end of 2002. Trails, ramps, lighting, and retaining walls are designed and ready for construction, and Phase II will stretch from Fifth Avenue on the west to Hiawatha Avenue on the east. Construction on Phase III will be completed by 2004.

Picture 3. Below grade in Phase I



¹ Public Art Master Plan Midtown Greenway Corridor page 48

boxes placed along the trail, and these amenities will be used in subsequent phases as well. Some design requirements of the ZOD address safety concerns by utilizing aspects of crime prevention through environmental design (CPTED). The City of Minneapolis has completed plans for Phase II of the Midtown Greenway and under the project's current schedule the Greenway will extend through Phase II by the end of 2002. Trails, ramps, lighting, and retaining walls are designed and ready for construction, and Phase II will stretch from Fifth Avenue on the west to Hiawatha Avenue on the east. Construction on Phase III will be completed by 2004.

Since the 29th Street corridor was excavated to facilitate safer rail use², the Greenway is below grade for much of its layout, as shown in Picture 3. From the west, the trail is at or above grade up to Hennepin Ave, below grade from Hennepin to 27th Avenue South, and above grade to the Mississippi River. The below grade sections present safety issues for trail riders. Since trail uses are out of sight in the trench, perceived and real safety concerns need to be addressed with trail layout and amenities such as lighting and other design elements.

MG Zoning Overlay District (MGZOD)

The Midtown Greenway Coalition began the process of implementing a zoning overlay district along the Greenway in order to improve the safety and aesthetic qualities of the corridor. A zoning overlay district would add requirements to the existing zoning districts and abide by the underlying districts. The Midtown Greenway Zoning Overlay District (MGZOD) focuses mainly on parcels adjacent to the trail, and addresses the shadows that buildings set further back cast onto the trail. Figure 2 shows the entire zoning overlay district along the Greenway.

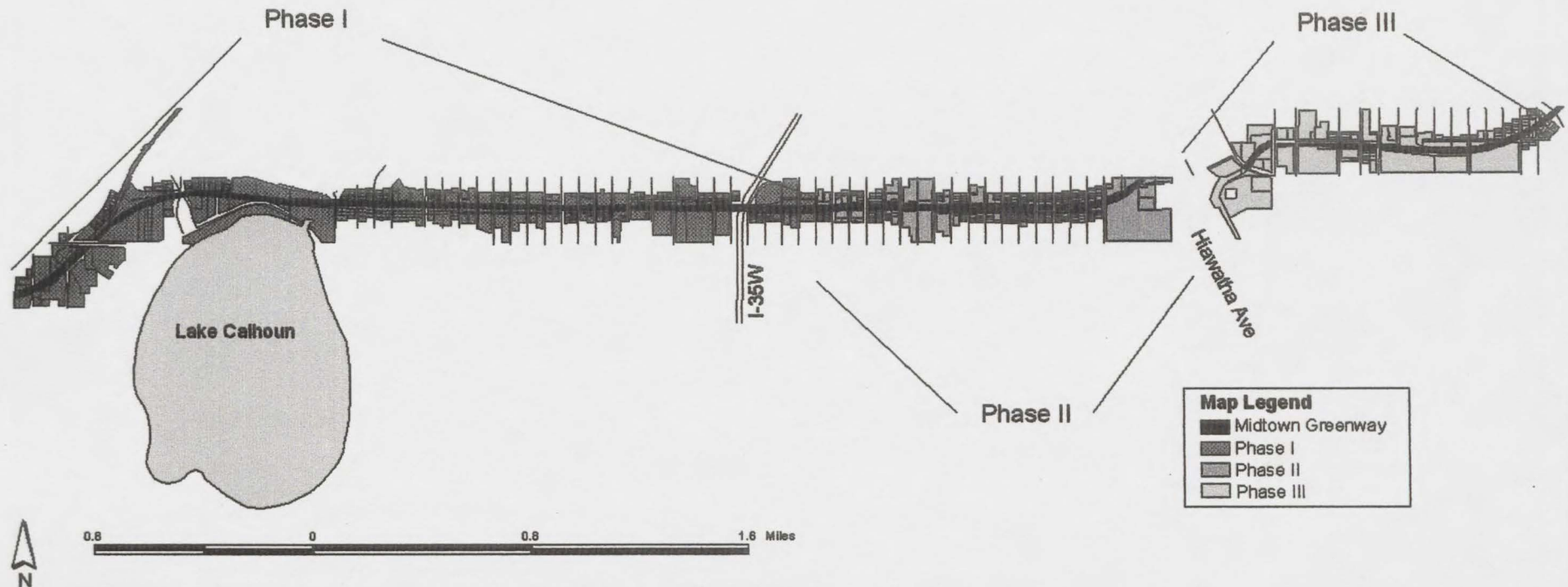
² *Public Art Master Plan* Midtown Greenway Corridor page 48

The zoning overlay district for the Greenway is being proposed in order to preserve and enhance the areas surrounding this transportation corridor. The Coalition hopes that the ZOD will encourage land use decisions to provide functional and aesthetic benefits to the Greenway. Because the greenway was a rail line in the past, industrial and commercial uses tend to dominate the immediately surrounding areas, however, the Coalition believes that the blank walls typically associated with industrial uses are not compatible along the Greenway. The ZOD addresses types of activities that are not appropriate for a non-motorized transportation corridor like the Greenway and specifies what would be desirable uses for the Greenway. Besides non-compatible land uses, like meat processing plants and salvage yards, several design elements are enforced in the ZOD addressing safety and aesthetic issues³.

The boundaries of the zoning district include all parcels located within 200 feet of the Greenway. In residential areas, the boundaries are usually set within that 200-foot designator, but larger parcels in the MGZOD along Phases I and II sometime extend as far north at 28th Street and south as Lake Street, and in Phase III included parcels sometimes extend as far south as 28th Street. The Sears Tower layout stretched from the Greenway south to Lake Street and is included the ZOD. Figure 2 shows the boundaries of the MGZOD along the length of the Greenway.

³ See Appendix B for Midtown Greenway Zoning Overlay District document

Midtown Greenway Zoning Overlay District Phase Boundaries



Data set: City of Minneapolis, MNIS
Prepared by: Molly McCartney, CURA

In order to determine land use impacts of the overlay, two analyses were conducted. First, the current land use and zoning districts were assessed to determine what types and amounts of land uses would be affected by the overlay. This also included a current non-conforming use analysis to verify what parcels are out of compliance with the current zoning code. Second, an analysis of land use under the proposed overlay was conducted to determine what changes to the area would occur under the new zoning.

Current Land Use Analysis

Current land use was examined to determine the type of uses most affected by the MGZOD. Single-family, detached housing dominates the land use in the study area occupying one-fifth of the study area. Industrial warehouses and factories make up the next highest percentage, 12.24%, and multi-family housing category makes up 16.78% of land use (Table 1). Zoning districts for the phases of MGZOD are shown in Current Zoning Maps: Phase I, II, and III (appendix).

While high-density neighborhoods support transit more efficiently than lower densities, the height of development allowed under the

Table 1. MGZOD Land Use

Land Use	# of parcels	No of acres	% Of ZOD area
Greenway	-	50.58	4.08%
Single Family Detached	1913	252.45	20.39%
Single Family Attached	90	28.79	2.32%
Multi-Family Residential	1280	207.71	16.78%
Mixed Comm./ Res./ Apt	85	15.96	1.29%
Group Residence	16	3.60	0.29%
Garage or Misc. Res.	9	4.37	0.35%
Parks & Playgrounds	17	74.32	6.00%
Sport or Rec. Facility	202	67.19	5.43%
Common Area	15	11.08	0.89%
Cemetery w/Monuments	1	21.00	1.70%
Office	60	70.69	5.71%
Retail	173	86.57	6.99%
Bar/ Rest. / Entertainment	48	18.76	1.52%
Institution/ School/ Church	33	45.31	3.66%
Misc. Commercial	8	1.23	0.10%
Ind. Warehouse/ Factory	171	151.56	12.24%
Utility	4	1.31	0.11%
Car Lot (Empty)	8	0.84	0.07%
Car Sales Lot	10	2.19	0.18%
Vehicle Related Use	55	15.88	1.28%
Vacant Land Use - Apt.	23	3.652	0.29%
Vacant Land Use - Comm.	80	24.88	2.01%
Vacant Land Use - Ind.	35	19.22	1.55%
Vacant Land Use - Res.	109	10.65	0.86%
Vacant Misc. Landscape	11	2.82	0.23%
Vacant Street & Alley	13	2.67	0.22%
Land use not identified in data	63	42.9	3.46%

Data set: MNIS

MGZOD will be monitored in order to protect direct sunlight on the trail surfaces in the winter along the Greenway. The proposed zoning ordinance for the Greenway addresses height restriction along the southern edge in order to provide an innovative design framework for new developments in that area.

A majority of land use, over 58% of the overlay district is currently zoned as residential. Table 2 shows the acres and percent of zoning districts in the study area. Residential districts dominate the proposed overlay district, and a large portion of those districts are at low densities. Residential district of R1, R1A, R2, and R2B are zoned for single family and two family housing. Since many of the overlay district's requirement exempt single-family and duplex housing, the possibility of legally non-conforming uses arises. These parcels may never have the qualities desired by the overlay district. Land use maps, (Current Land Use: Phase I, II, and III, appendix) show the composition of uses within the overlay district.

The office residential districts provide an environment of mixed residential, office, institutional, and where appropriate, small scale retail sales and service uses designed to serve the immediate surroundings. These office residence districts may serve as small to medium scale mixed use areas within neighborhoods, as higher density transitions between downtown and residential neighborhoods, or as freestanding institutions and employment centers throughout the city. These districts make up approximately 5% of the ZOD area. OR1 districts height restrictions must comply with the surrounding residential zones height restrictions. OR2 districts can be allowed up to 4 stories or

56 feet whichever is less. OR3

districts allow up to 6 stories or 84

feet. The height allowances are based

on type of land use. The same

sunlight threat to the Greenway is

posed by these height allowances as

with multi-family residential

structures.

Commercial districts make up

approximately 16% of the study area.

“The commercial provide a range of

goods and services for city residents,

to promote employment opportunities

Table 2. Study Area of Proposed Midtown Greenway Zoning Overlay District

Zoning Code	No. of Parcels in ZOD	No. of Acres contained in zoning code	Zoning Code % of ZOD
I1	290	136.72	11.84%
I2	104	85.04	7.36%
I3	8	12.02	1.04%
Total Industrial			20.24%
C1	187	27.42	2.37%
C2	306	90.38	7.82%
C3A	55	24.07	2.08%
C3S	12	42.79	3.7%
C4	19	5.04	0.44%
Total Commercial			16.41%
OR1	40	6.46	0.56%
OR2	56	38.17	3.3%
OR3	7	16.44	1.42%
Total Office Residential			5.28%
R1	263	112.74	9.76%
R1A	705	101.88	8.82%
R2	9	1.70	0.15%
R2B	1647	225.81	19.55%
R3	14	4.37	0.38%
R4	259	62.45	5.41%
R5	305	72.31	6.26%
R6	227	89.19	7.72%
Total Residential			58.05%

Data set: MNIS

and the adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas. In addition to commercial uses, residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities are allowed.”⁴ These districts allow up to four (4) stories or fifty-six (56) feet in height for development. Density bonuses for parking are available for developments that offer enclosed parking and mixed-use buildings. Density bonuses of up to 20% of the development may be added for both exceptions and an increase of one story of a development if mixed-use development is offered.⁵

Industrial districts are established to provide locations for industrial land uses engaged in production, processing, assembly, manufacturing, packaging, wholesaling, warehousing or distribution of goods and materials. Regulations for the industrial districts are established to promote industrial development and to maintain and improve compatibility with surrounding areas. In addition to industrial uses, limited commercial uses, parking facilities, institutional and public uses and public services and utilities are allowed. All districts have height restrictions of four (4) stories or fifty-six (56) feet whichever is less.

Current Minneapolis Overlay Districts affecting areas along Greenway include a Pedestrian Oriented (PO) Overlay District, Industrial Living (IL) Overlay District, Transitional Parking (TP) Overlay District, and the Mississippi River (MR) Critical Overlay District.

⁴ Mpls. Zoning Code 546.10

⁵ Mpls Zoning Code 548.130.

The PO has been enacted in order to “preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation, design, accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses”⁶ Three PO overlay districts affect the study area.

The IL and TP zoning overlays mix uses commonly separated by zoning laws. The IL allows residential and commercial reuse of previously industrial zoned districts. The IL districts are found in the I1 and I2 zones and the requirement of being compatible with surround land uses. The TP allows parking lots for passenger automobiles in residential and office residential districts. The TP overlay district is allowed only in districts adjacent to commercial districts that show a need for additional parking spaces. Seven TP overlay district can be found in the MGZOD area.

“The MR is established to prevent and mitigate damage to the Mississippi River, to preserve and enhance the Mississippi River's natural, aesthetic, cultural and historic value for public use, to protect and preserve the biological and ecological functions of the Mississippi River corridor, to comply with the requirements regarding the management of critical areas, and to protect the public health, safety and welfare.”⁷ The MR overlay district covers the most

Picture 4. Greenway behind Rainbow Foods, Phase 1



⁶ Mpls Zoning Code 551.60

⁷ Mpls Zoning Code, 551, VIII

eastern portion of the MG, from 40th Avenue South to the Mississippi River, approximately 500 feet of the Greenway.

Minneapolis has a fair share of exceptions to the zoning code as seen in the above-mentioned overlay districts. This list, while not a full account of all overlay districts, shows that the precedent for zoning overlay districts is present within city institutions (Planning Department and Commission) and progressive zoning ordinances, as seen in the PO and IL overlay districts, seem to be of increasing importance. This may increase the likelihood of successful adoption of the MGZOD.

Current and Future Non-conforming Use Analysis

Besides recording the land use and zoning districts along the Greenway ZOD, analyzing current non-conforming uses in the ZOD can help the stakeholders determine the impacts of implementing such a zoning change and point out parcels that can be brought up to code once a permit for that property is applied for. In addition to investigating current non-conforming uses, the compliancy of the land uses under the proposed overlay district was also used to determine the impact of the zoning change.

The non-conforming uses are determined as uses that are not allowed in the zoning district according to the Minneapolis Zoning Code.

This analysis focused on three zoning district areas:

- Residential with land uses of non-residential,
- Office residential districts with industrial land uses, and
- Commercial districts with industrial land uses.

The parcels that are non-conforming to the current zoning code and proposed overlay are shown in the following table. Tables 3 and 4 show specific prohibited and conditional uses clash as well as the current non-conforming uses.

Table 3. Current Non-conforming Land Use in Midtown Greenway

Zoning District	Allowed Uses	Nonconforming Uses	No. of Parcels
Residential	Residential districts	Industrial	11
	Schools, Places of Worship	Vacant Commercial	3
	Parks	Commercial Office	7
		Parking	2
Office Residential	Above uses, commercial, & office-residential	Industrial	1
Commercial	Above uses, commercial, & office residential	Industrial	4
		Vacant Industrial	1
		Parking	1
		Total non-conforming parcels	30

Data set: MNIS

For the purposes of this analysis, uses non-conforming to industrial districts were not identified. Zoning districts in Phase III had one non-conforming land uses, industrial in a residentially zoned district. Phase I and II had the majority of current non-conforming uses. Industrial land uses in residentially zoned districts were the most commonly found non-conforming use.

Non-conforming land uses under the proposed overlay district were analyzed to determine the extent of land use that would change. The only type of land use and zoning not allowed for is the General Industrial Uses (I3)⁸ classification. This zoning classification includes only a few of the industrial uses; those heavy industries that may adversely effect the surrounding environment and that require special mitigation for removal or disposal. General Industrial Uses often include processing of raw materials and production of primary

⁸ Mpls Code 550.30

materials that can include toxic chemicals or slaughterhouses. General Industrial Zones are the only specific zoning district not allow in the MGZOD.

Table 4. Non-conforming uses under proposed MGZOD

<i>Type of use</i>	<i>Number of non-conforming parcels</i>
AC units	1
Commercial Office in Residential Zone	3
Garbage facilities	3
Industrial in Commercial Zone	1
Industrial in Office Residential Zone	1
Industrial in Residential Zone	11
Industrial Use in Commercial Zone	3
Outdoor storage of materials	8
Parking lot	40
Parking ramp	1
Sears	1
Vacant Commercial in Residential Zone	8
Vacant Industrial in Residential	1
Vacant Industrial in Commercial Zone	1

Data set: MNIS

Second, the provisions of the overlay do not permit certain prohibited and conditional uses. Prohibited land uses include heavy industrial and others, such as community correctional facilities, drive throughs, and liquor stores. Uses that are permitted with conditions include transportation uses such as parking ramps and lots, outdoor storage of materials, establishments where liquor is sold (not including beer and wine

only establishments), and establishes that provide outdoor entertainment or instruction. Many of the conditional uses require a change in design elements to mitigate any adverse effects on the Greenway. Buffering and screening of conditional uses make the use compatible with the overlay.

Lastly, certain site activities are required to be mitigated through design elements. Garbage dumpsters, not including single-family and duplex housing, need to buffer or screen the offensive activities if abutting the Greenway. Building façade design will comply with Site Plan Review ordinance of the Minneapolis zoning Code that states that certain percentage of “building facades shall contain windows at

the ground level or first floor in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility⁹.

Impacts of Zoning Changes

The zoning changes discussed in this report include the major land use changes the ZOD would require of parcels. Specifically, the prohibited and conditional land uses, building façade, and buffer and screening provisions are evaluated as to how they change land use and the potential costs for property owners and organizations. While the benefits of the ZOD may be long lasting, the initial cost are perceived to be few.

The location of the boundaries will not place a burden on properties within the MGZOD. A majority of the changes required apply to parcels directly abutting the Greenway. The specified prohibited uses, for example heavy industrial uses, pertain mainly to non-residential uses and most residential uses will typically not be in conflict with the MGZOD. Low-density residential one- and two-family dwellings are exempt or non-applicable from some of the MGZOD provisions, such as building façade requirements. In addition, zoning variances can be potentially granted for non-compliance due to economic hardship.

Picture 5. Calhoun Beach Apts AC units on Greenway



Midtown Greenway Coalition photo

⁹ Mpls Zoning Code 530.110

The zoning overlay prohibits General Industrial Uses¹⁰ as well additional land uses¹¹. The uses are considered to physically and sensory incompatible with the function of the Greenway as a trail for recreation and transportation use. No zoning districts within the MGZOD boundary are zoned for I3 (General Industrial); however, it is hard to determine with current data specific industrial uses. For example, a business located in Phase III, Swanson's Meats, is not a meat processing or packaging plant, but large shipments are disbursed to smaller outlets through this site. MNIS data has an unclear interpretation of current industrial land use. Industrial land use categories are not type specific as the zoning districts. Further research by the Coalition and data from the city should provide better information.

Height allowance and restrictions are a major concern for the Coalition. Tall buildings on the south side of the trail block sunlight from reaching the path. The beneficial qualities of this natural snow removal system and lighting should be protected as a line of defense for trail users. Buildings adjacent to the south side of the Greenway that are taller than approximately two stories block sunlight from reaching the trail in the winter. Since the trail is used and maintained by the city year-round, the ZOD would required that height restrictions should be placed on the south side. Current zoning allows a maximum of 2.5 stories or 35 feet for height of the least dense zoning (R1). Current zoning allows a maximum of 2.5 stories or 35 feet for

Picture 6. Sears Building caps Greenway



¹⁰ As defined in Mpls City Code, 550.30(f)(3)

¹¹ Midtown Greenway Zoning Overlay District Section IV. 551.1431

height of the least dense zoning (R1). Therefore, without the ZOD, the Greenway faces some threat to sunshine access related to buildings within a few feet of the Greenway on its south side. The placement of new structures within a few feet of the Greenway could be impacted with the overlay provisions regulating height restrictions and setbacks¹².

As an example, one can consider the ZOD-imposed height limits for the most restrictive scenario possible. This would be for those portions of the trench segment where the cycling and walking trails run along the trench floor with their south edge at the centerline of the old railroad corridor, and where 29th Street does not exist on the south side of the corridor as a spatial buffer. In this scenario, a residential building built to its maximum height of 35 feet could be no closer than 60 feet from the edge of the Greenway property, resulting in shorter structures on the first and second closest residential parcels south of the Greenway. Currently, there is about one house out of compliance along the Greenway 5.5 mile stretch across the City. Also in this most restrictive scenario, commercial and industrial buildings built to their maximum height of 56 feet would have to be about 100 feet or more from the edge of the Greenway property. Currently there are at least six blocks with buildings that would be out of compliance in this most restrictive-case example.

The county expects that the Midtown Greenway will be used for mass transit in the future. The

Picture 7. Hennepin Transit Station



¹² MGZOD, Section VI, 551.1450

pursuit of higher density construction along this corridor could be somewhat impacted for land parcels within a few feet of the Greenway on its south side. However, the proposed height restriction is unlikely to impact the majority of land in the block south of the Greenway and north of Lake Street, and will not have any impact north of the Greenway. There will be buildings that will be permanently exempt from the zoning overlay provisions like the Sears Tower in Phase II (which actually caps the Greenway), shown in Picture 4.

The overlay district calls for building facades on the first level facing the Greenway to have transparent windows. This provision attempts to create more visual connections to the Greenway; adding more eyes on the Greenway potentially could deter crime. However, since much of the trench is below grade, the opportunity for buildings to be at level with the trench is slim.

The screening requirement and the set back requirement on the south side of the corridor will make more properties out of compliance than the prohibited land use. Trash disposal facilities and mechanical equipment language in the MGZOD include air conditioner units, like the one seen in Picture 5. The Calhoun Beach Apartments, constructed in 1999-2000, have many windows facing the Greenway, but unsightly air conditioning units abut the Greenway. Many properties spanning the length of the Greenway have treated the corridor as a backyard and face trash disposal areas to the Greenway.

Some buildings in Phase I have modified the exterior facing the Greenway, including buildings at Lyndale Avenue (Picture 7), but most new construction does not employ design principle of crime prevention through environmental design, CPTED. The new transit station at Hennepin Avenue (Picture 6) completed in 2001 refurbished the bridge crossing the Greenway. While the station does have windows

above the Greenway, there is no access from the station to the trench. Planning entities such as the city and regional government should take the lead in building around the Greenway as to set an example for private development. If the regional transit authority will not build in safety amenities for the Greenway, it is unlikely that property owners would initiate this type of design without the guidance of an overlay district. Since these requirements will most likely apply to all property owners adjacent to the Greenway, compliance to the ZOD building façade, and screening requirements will require private money on a project-by-project basis. These property enhancements may be more than offset by a resulting increase in value for the property owners, especially considering the Greenway as a whole and its transformation into a beautiful amenity.

Midtown Greenway ZOD Decision Framework

In February 2002, the MCWP passed a resolution to make a decision on the overlay district by September. As of May 2002, the Minneapolis City Council passed a motion to refer the ZOD to the Zoning and Planning Committee and in turn this committee directed city planning staff to develop the ZOD. The Planning Department outlined the decision framework to be undertaken by the planning staff.

1. Determine a study area surrounding the Greenway.
2. Analyze the effects of the ZOD on current zoning, including two or more public hearings.
3. Distribute official notices to property owners in the ZOD and within 350 feet of the overlay.

4. Analyze any special geographical circumstances, such as trench gradient issues.
5. Analyze the breakdown of the three Phases.
6. Conduct legal review by the city attorney (takings issues?)
7. Write official text for the ZOD
8. Collaborate with the Metropolitan Council to determine regional impacts
9. Review and revise the Minneapolis Comprehensive Plan to reflect this zoning change.
10. Review and conduct discussions with the Planning Commission
11. City council and planning committee review and decision¹³

Picture 8. Ideal adjacent Greenway development



Work undertaken by the Coalition and this report covers some of the of the city's official course of action, including establishing a study area, addressing citizen concerns, and assessing land use changes. Future planning projects can include an assessment of building footprints in relation to the corridor. This may assisting in determining how building shadow affects light on the Greenway. City GIS resources may have footprint information, or the Coalition can pursue a structure-digitizing project using aerial photography.

With these considerations, will the zoning overlay district proposed by the Coalition have positive impacts that would be worth the costs of implementing a zoning change? The cost of capital improvements to the Greenway will be paid for through the public funds. Because

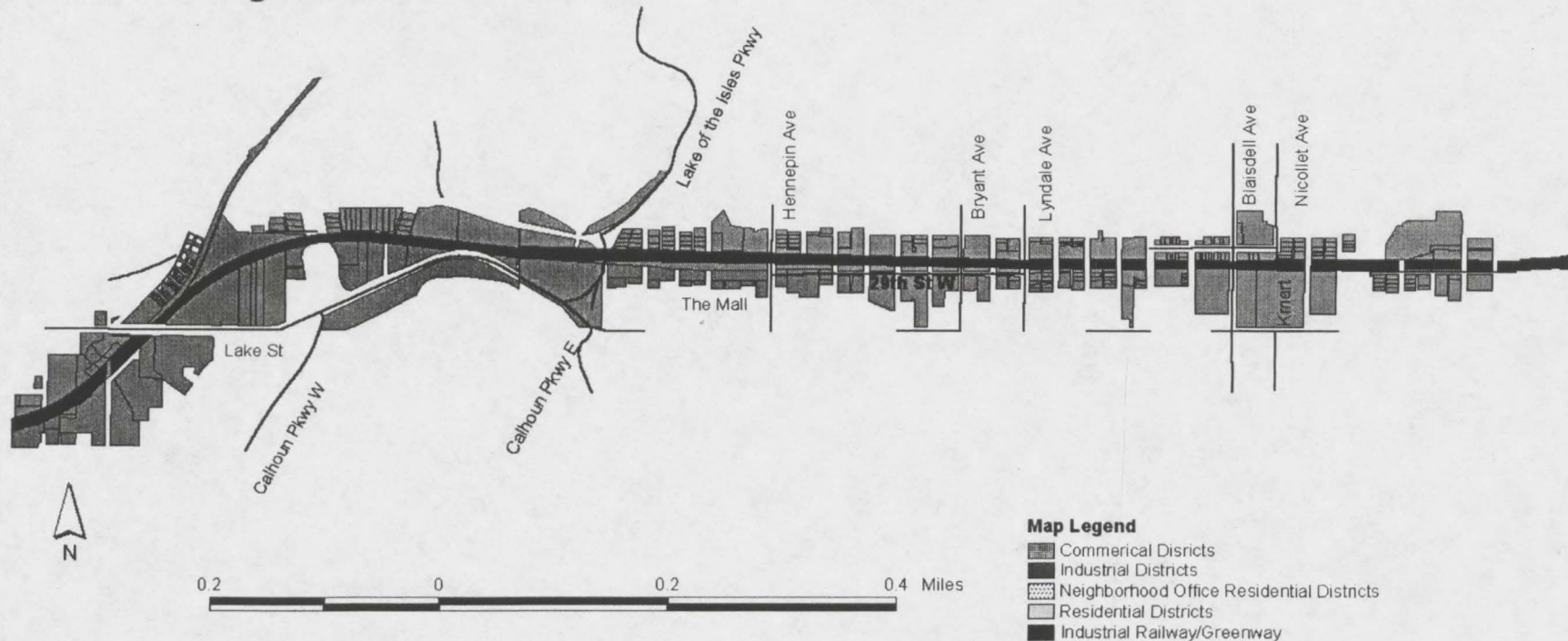
¹³ Lonnie Nichols, Planning Department, City of Minneapolis, Midtown Community Works Partnership, Implementation Committee Meeting, May 2002.

the ZOD impacts primarily adjacent private property owners, public agencies involved with the Greenway are unlikely to be significantly impacted by the ZOD. Two exceptions are costs for possible easements to implement the pedestrian promenade along the rim of the trench segment and long-term maintenance of additional access into the trench such as new stairways. Canadian Pacific Rail (formerly Soo Line) has been responsible for pollution cleanup associated with the removal of the freight rail tracks in the Greenway. Bridge rehabilitation and maintenance will occur at city and county expense. The Coalition proposal will not add to the construction of the Greenway, but add to the qualities of the trail.

The existence of a zoning overlay may slightly alter the form of industrial and commercial structures within the MGZOD, but it is unclear if the ZOD would deter new such uses. It is hoped that the ZOD would result in a net gain in the tax base due to more valuable properties overall. The Midtown Greenway Zoning Overlay District may bolster the corridor's ability to act as a magnet to draw environmentally conscious and responsible businesses and residents to Midtown Minneapolis.

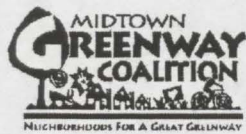
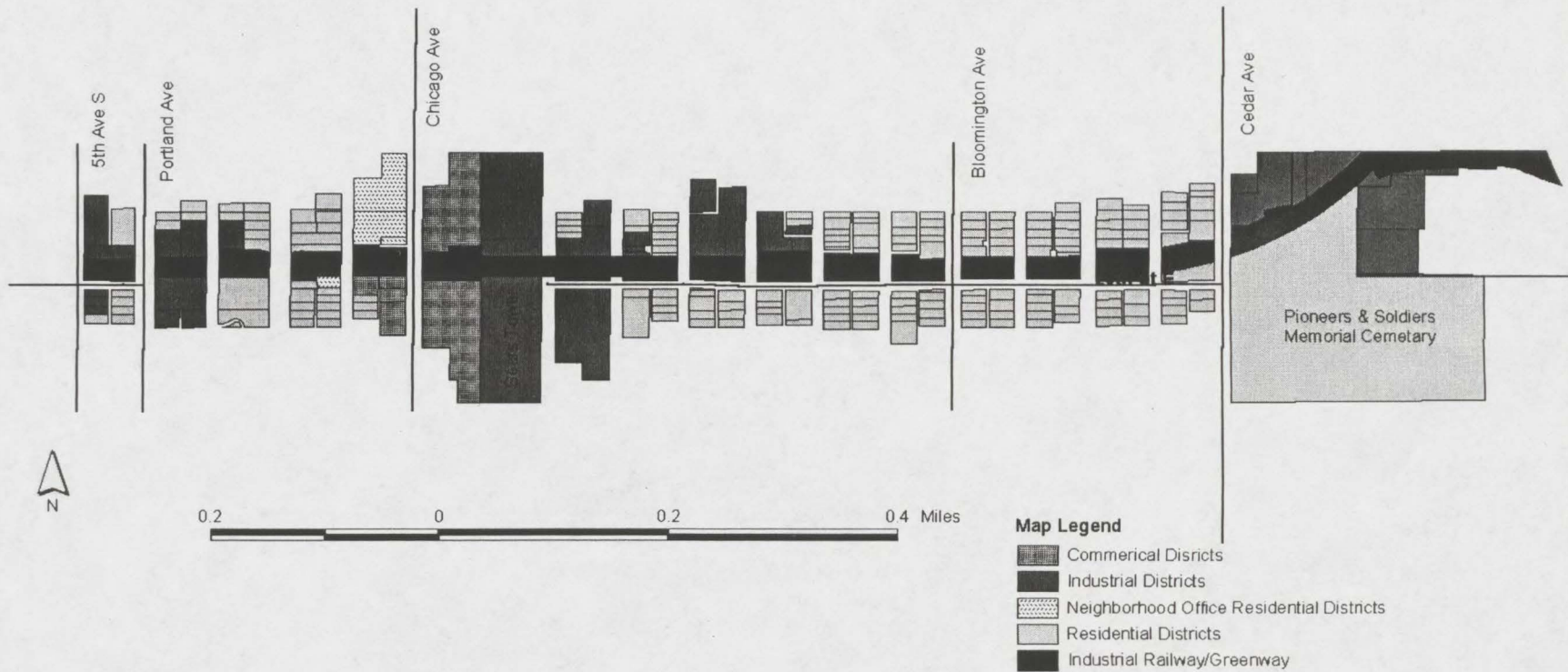
Current Zoning Maps: Phase I, II, and III

Midtown Greenway Phase 1 ZOD Zoning Districts



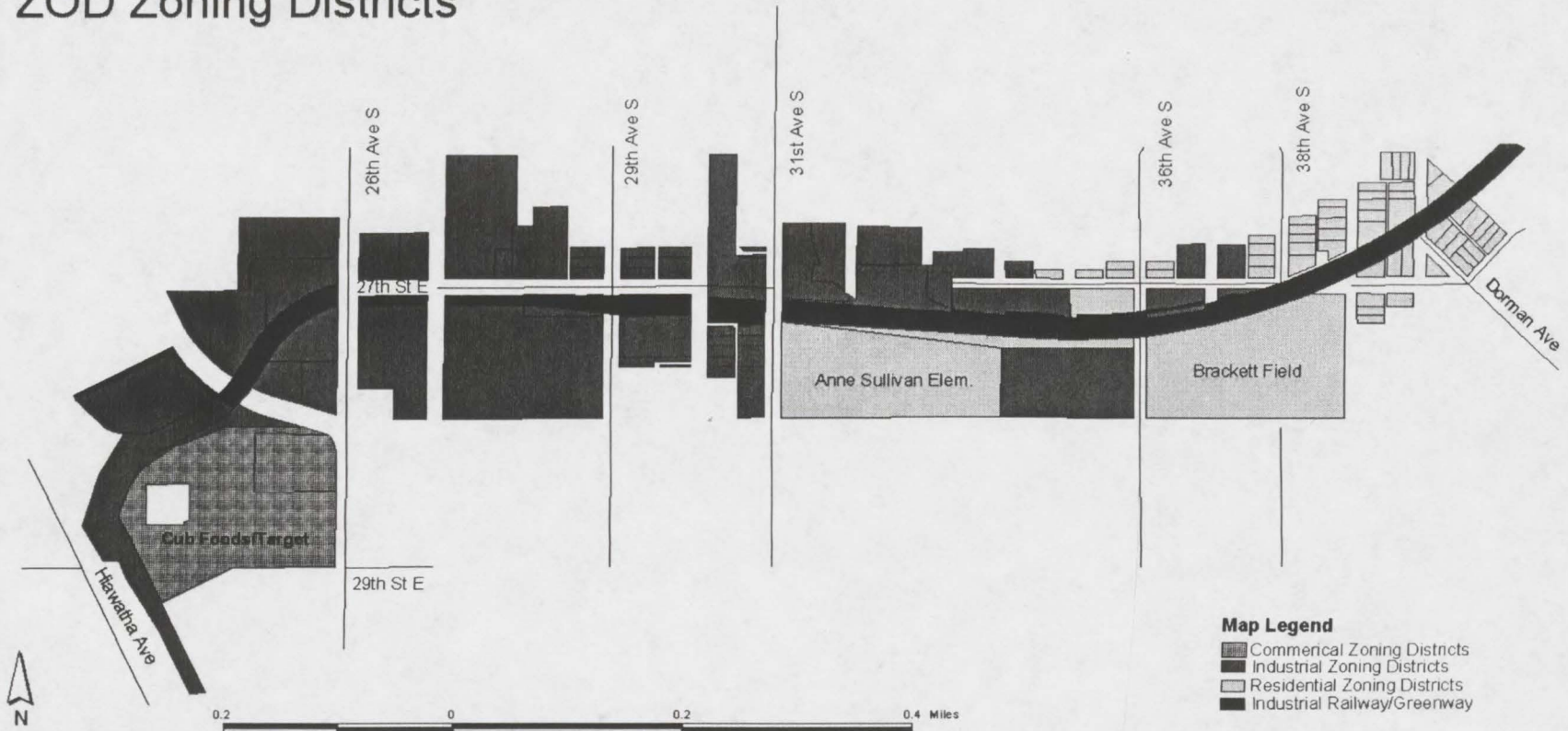
Data set: City of Minneapolis
Prepared by: Molly McCartney, CURA

Midtown Greenway Phase II ZOD Zoning Districts



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 Prepared by: Molly McCartney, CURA

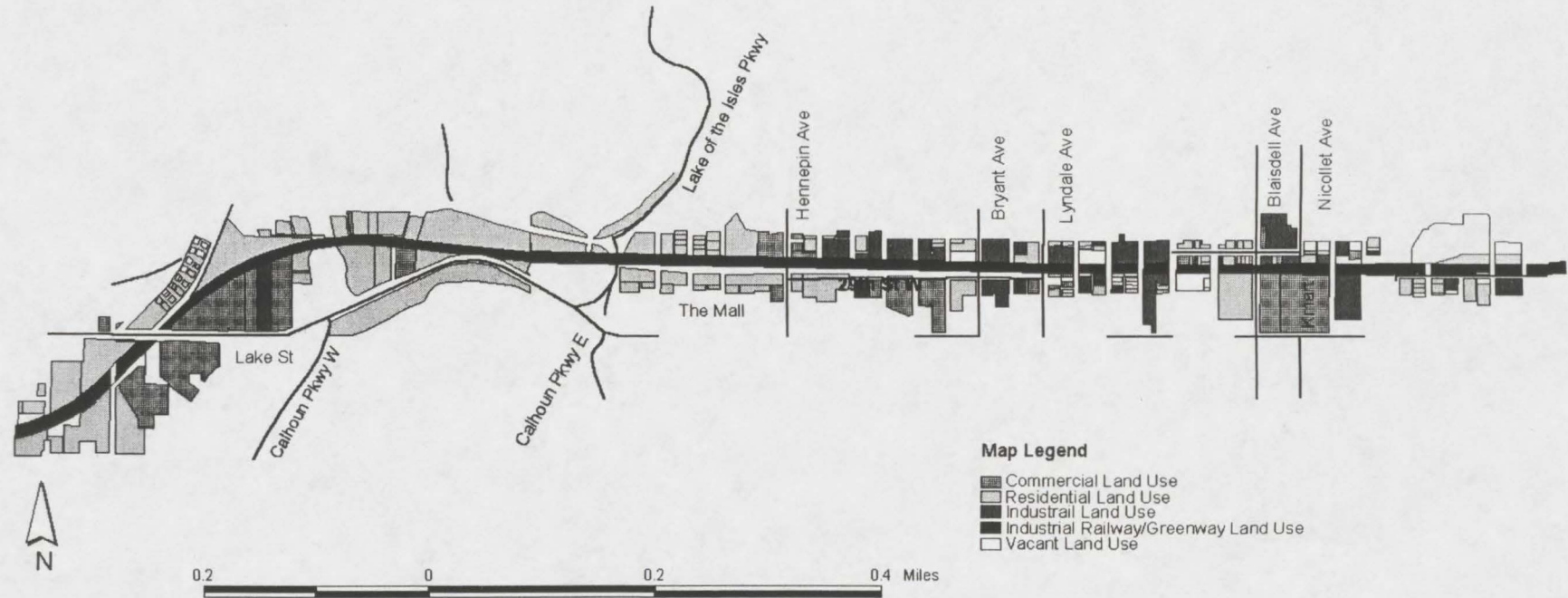
Midtown Greenway Phase III ZOD Zoning Districts



Data set: City of Minneapolis
Prepared by: Molly McCartney, CURA

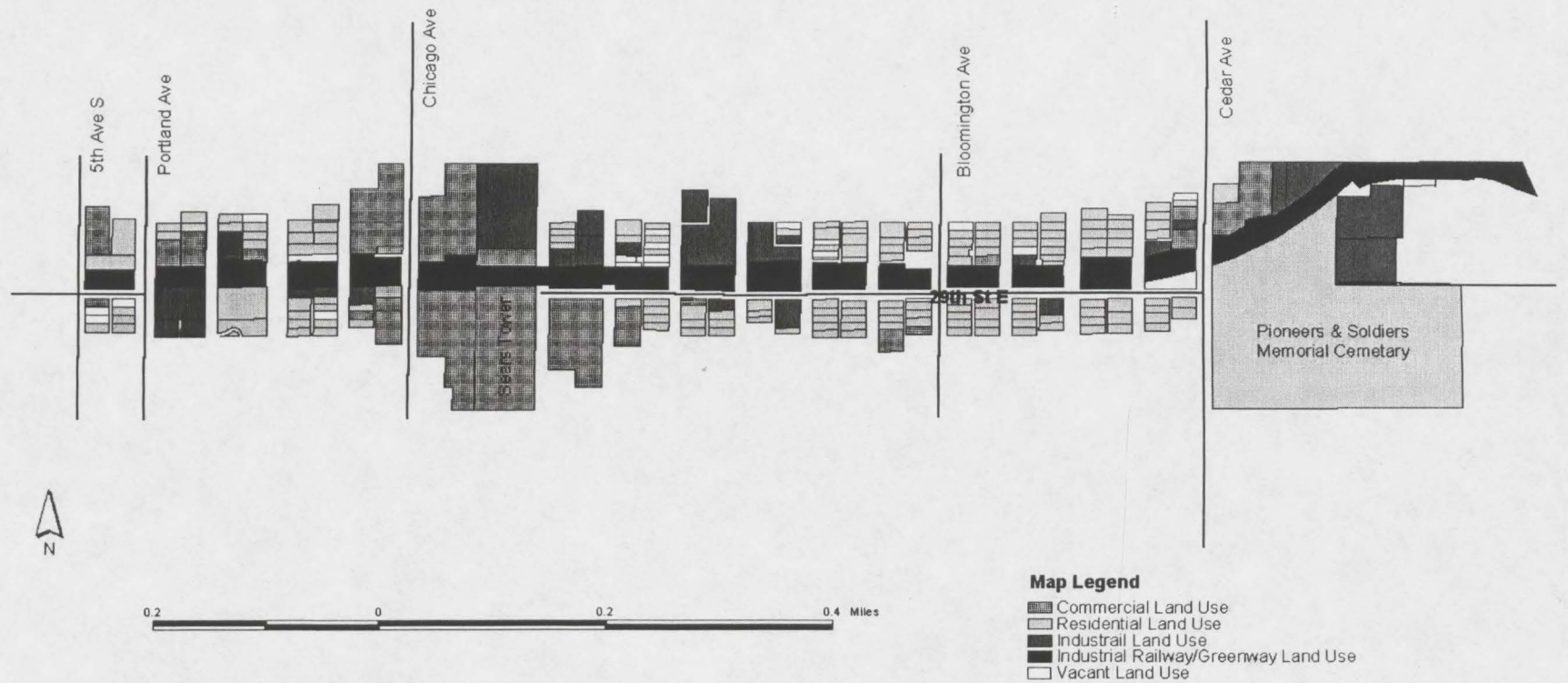
Current Land Use: Phase I, II, and III

Midtown Greenway Phase I ZOD Land Use



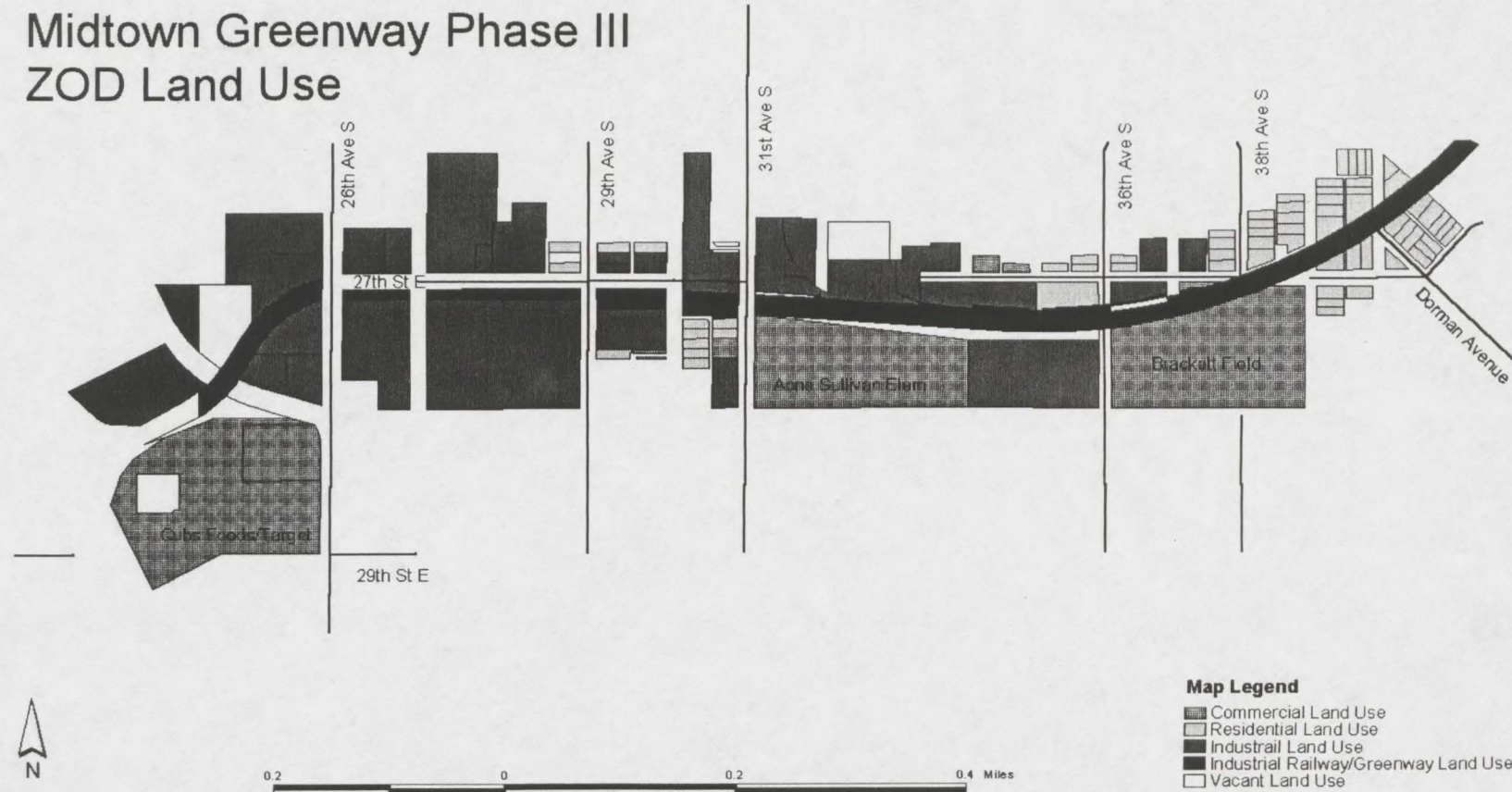
Data set: City of Minneapolis
Prepared by: Molly McCartney, CURA

Midtown Greenway Phase II ZOD Land Use



Date set: MNIS, City of Minneapolis
Prepared by: Molly McCartney, CURA

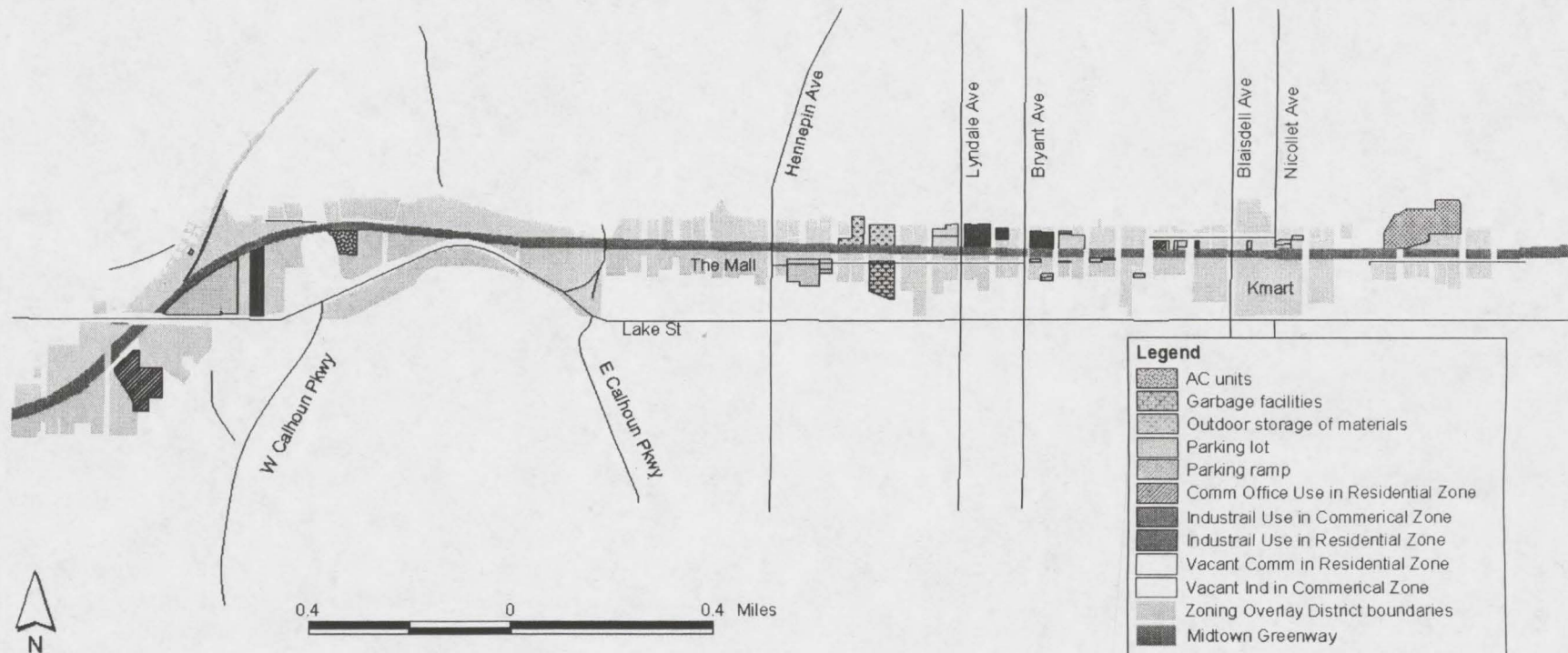
Midtown Greenway Phase III ZOD Land Use



Data set: MNIS, City of Minneapolis
Prepared by: Molly McCarthy, CURA

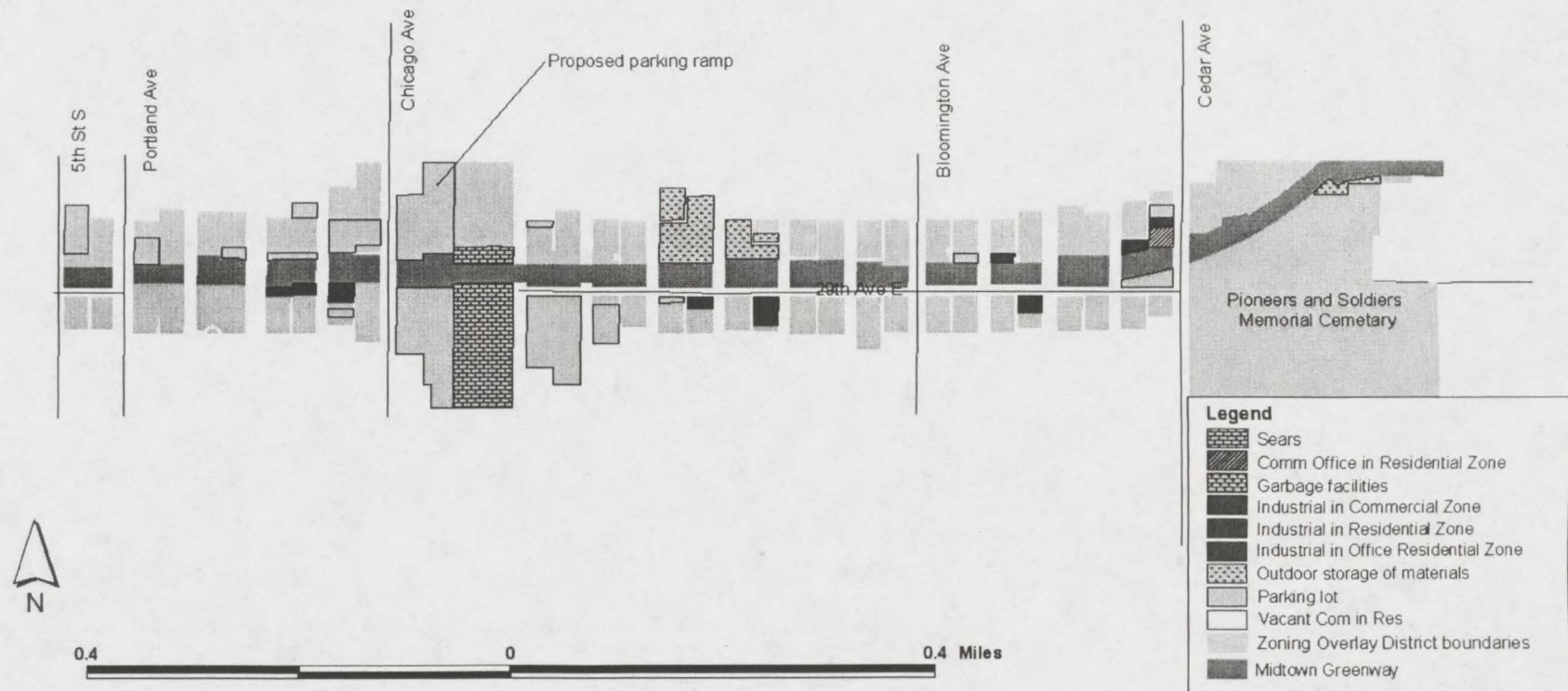
Current and Future Non-conforming Uses: Phase I, II, and III

Midtown Greenway Phase I Non-Conforming Land Uses



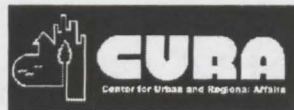
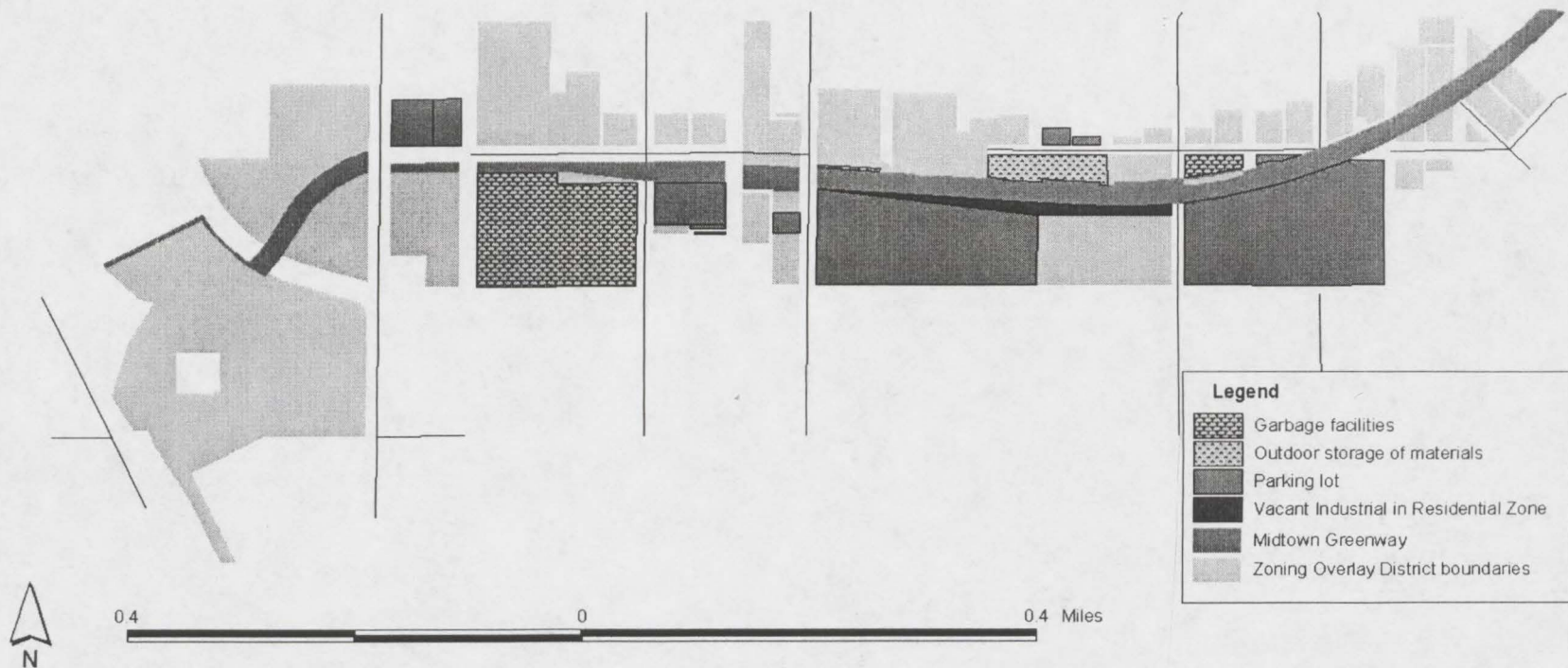
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Prepared by: Molly McCartney, CURA

Midtown Greenway Phase II Non-Conforming Uses



Data set: MNIS, City of Minneapolis
Produced by: Molly McCartney, CURA

Midtown Greenway Phase III Non-Conforming Uses



Data set: MNIS, City of Minneapolis
Produced by: Molly McCartney, CURA

Non-conforming Uses in the proposed Midtown Greenway Zoning Overlay District

Phase I Non-conforming Uses

<i>Parcel Address</i>	<i>Neighborhood</i>	<i>Zoning Code</i>	<i>Land Use</i>	<i>Non-conforming Use</i>
3407 ST LOUIS AVE	CEDAR-ISLES-DEAN	R1	Single Family Attached	Outdoor storage of materials
3220 LAKE ST W	CEDAR-ISLES-DEAN	C3S	Retail	Parking lot
2901 DEAN PKWY	CEDAR-ISLES-DEAN	R6	Multi-Family Apartment	AC units
2828 DUPONT AVE S	LOWRY HILL EAST	I2	Ind. Warehouse/ Factory	Outdoor storage of materials
1104 LAGOON AVE	LOWRY HILL EAST	C3S	Retail	Garbage facilities
2900 FREMONT AVE S	LOWRY HILL EAST	C2	Parking facilities	Parking lot
2904 FREMONT AVE S	LOWRY HILL EAST	C2	Parking facilities	Parking lot
2828 EMERSON AVE S	LOWRY HILL EAST	I2	Ind. Warehouse/ Factory	Outdoor storage of materials
1320 LAGOON AVE	LOWRY HILL EAST	C3A	Parking facilities	Parking lot
2824 BRYANT AVE S	LOWRY HILL EAST	R6	Parking facilities	Parking lot
2916 PLEASANT AVE S	WHITTIER	I2	Parking facilities	Parking lot
2903 HARRIET AVE S	WHITTIER	I1	Parking facilities	Parking lot
2901 GARFIELD AVE S	WHITTIER	I1	Parking facilities	Parking lot
2920 GARFIELD AVE S	WHITTIER	C2	Parking facilities	Parking lot
2901 LYNDAL AVE S	WHITTIER	C2	Garage or Misc. Res.	Parking lot
17 29TH ST W	WHITTIER	I1	Parking facilities	Parking lot
2900 PILLSBURY AVE	WHITTIER	R2B	Parking facilities	Parking lot
2834 1ST AVE S	WHITTIER	I1	Parking facilities	Parking lot
2843 NICOLLET AVE	WHITTIER	C2	Parking facilities	Parking lot
2839 NICOLLET AVE	WHITTIER	C2	Parking facilities	Parking lot
Wells Fargo Ramp	PHILLIPS	I1	Vacant Land Use - Comm.	Parking ramp
				21 Total Non-conforming parcels

Phase II Non-conforming Uses

<i>Parcel Address</i>	<i>Neighborhood</i>	<i>Zoning Code</i>	<i>Land Use</i>	<i>Non-conforming Use</i>
2821 5TH AVE S	PHILLIPS	I1	Sport or Rec. Facility	Parking lot
2844 PARK AVE	PHILLIPS	R5	Sport or Rec. Facility	Parking lot
2907 COLUMBUS AVE S	PHILLIPS	R2B	Sport or Rec. Facility	Parking lot
2841 PORTLAND AVE S	PHILLIPS	I1	Sport or Rec. Facility	Parking lot
2853 COLUMBUS AVE S	PHILLIPS	C2	Ind. Warehouse/ Factory	Industrial in Commercial Zone
2829 COLUMBUS AVE S	PHILLIPS	OR2	Sport or Rec. Facility	Parking lot
2901 10TH AVE S	PHILLIPS	I1	Sport or Rec. Facility	Parking lot

2843 ELLIOT AVE S	PHILLIPS	I1	Office	Sears
826 LAKE ST E	PHILLIPS	C3A	Sport or Rec. Facility	Parking lot
2831 10TH AVE S	PHILLIPS	R2B	Garage or Misc. Res.	Parking lot
2833 CHICAGO AVE	PHILLIPS	C2	Sport or Rec. Facility	Parking lot
2905 11TH AVE S	PHILLIPS	R2B	Sport or Rec. Facility	Parking lot
2903 12TH AVE S	PHILLIPS	R2B	Sport or Rec. Facility	Parking lot
2833 13TH AVE S	PHILLIPS	I1	Ind. Warehouse/ Factory	Outdoor storage of materials
2824 13TH AVE S	PHILLIPS	I1	Ind. Warehouse/ Factory	Outdoor storage of materials
2844 16TH AVE S	PHILLIPS	R2B	Sport or Rec. Facility	Parking lot
2822 CEDAR AVE S	PHILLIPS	R6	Sport or Rec. Facility	Parking lot
2717 LONGFELLOW AVE	PHILLIPS	I1	Sport or Rec. Facility	Parking lot
2812 20TH AVE S	PHILLIPS	I3	Vacant Land Use - Ind.	Outdoor storage of materials

19 Non-conforming parcels

Phase III Non-conforming Uses

<i>Parcel Address</i>	<i>Neighborhood</i>	<i>Zoning Code</i>	<i>Land Use</i>	<i>Non-conforming Use</i>
3601 28TH ST E	LONGFELLOW	R1A	Sport or Rec. Facility	Parking lot
2653 34TH AVE S	SEWARD	I1	Sport or Rec. Facility	Parking lot
2652 35TH AVE S	SEWARD	R1A	Sport or Rec. Facility	Parking lot
2701 36TH AVE S	LONGFELLOW	I1	Ind. Warehouse/ Factory	Garbage facilities
3703 27TH ST E	LONGFELLOW	I1	Vehicle Related Use	Parking lot
3415 27TH ST E	LONGFELLOW	I1	Ind. Warehouse/ Factory	Outdoor storage of materials
3120 28TH ST E	LONGFELLOW	R4	Institution/ Sch./ Church	Parking lot
2656 32ND AVE S	LONGFELLOW	I2	Vacant Land Use - Ind.	Outdoor storage of materials
2726 30TH AVE S	LONGFELLOW	I1	Sport or Rec. Facility	Parking lot
2720 30TH AVE S	LONGFELLOW	I2	Ind. Warehouse/ Factory	Parking lot
2720 31ST AVE S	LONGFELLOW	I2	Sport or Rec. Facility	Parking lot
2645 26TH AVE S	SEWARD	I1	Ind. Warehouse/ Factory	Parking lot
2636 27TH AVE S	SEWARD	I1	Ind. Warehouse/ Factory	Parking lot
2700 28TH ST E	LONGFELLOW	I2	Ind. Warehouse/ Factory	Garbage facilities

14 Non-conforming parcels

54 total Non-conforming parcels

Midtown Greenway Zoning Overlay District

Annotated Version April 19, 2002 Draft

Credits

Consultants: Gary Shallcross, AICP, and Suzanne Rhees of URS.

Funding for Mr. Shallcross provided by: Neighborhood Planning for Community Revitalization and The Center for Urban and Regional Affairs, University of Minnesota.

Executive Summary: The Zoning Overlay District for the Midtown Greenway is proposed by the Midtown Greenway Coalition as a set of policies to guide and shape development along the edge of the Greenway to reinforce and enhance the character and purpose of the Greenway space. That character and purpose is described in the attached Vision Statement.

The MGZOD contains 10 sections that describe the area covered, require informed design review by interested citizens, establish limitations on uses, and delineate what may be built where relative to the Greenway right-of-way. The ordinance's provisions are briefly summarized below:

SECTION I. PURPOSE - recognizes that the Greenway is a unique investment in community connection that must be protected by appropriate control of adjacent development.

SECTION II. BOUNDARIES - defines the area subject to control.

SECTION III. DEFINITIONS - explains terms which have particular relevance to the Greenway.

SECTION IV. USES - defines certain uses as either detrimental or having elements potentially detrimental to the community character of the Greenway

SECTION V. DESIGN REVIEW - establishes a requirement for review of development proposals by recognized neighborhood and Greenway organizations.

SECTION VI. SPATIAL ENVELOPE - defines where buildings and uses may be located to preserve access to daylight within the corridor and maintain appropriate activity relationships.

SECTION VII. PEDESTRIAN CONNECTION - guides construction of pedestrian ways on, or accesses from, adjacent land that create visual and physical interaction with the Greenway.

SECTION VIII. OTHER SITE REQUIREMENTS - establishes special standards for buffering and screening parking, loading, storage and trash disposal.

SECTION IX. SIGNS - recognizes the unique human environment of the Greenway and regulates commercial communication along it to facilitate spatial awareness of Greenway occupants.

SECTION X. PERFORMANCE STANDARDS - addresses the need to control activities (apart from property investments) on adjacent sites that may negatively impact enjoyment of the Greenway.

ARTICLE XIV. MIDTOWN GREENWAY ZONING OVERLAY DISTRICT
(Text in italics indicates annotations which explain proposed ordinance provisions.)

SECTION I. PURPOSE

551.1400. Purpose. The Midtown Greenway Zoning Overlay District (MGZOD) is established to protect health, safety, and environmental quality for persons and property within and adjacent to the Midtown Greenway corridor. The Greenway is a former railroad right-of-way converted to a transit and recreation corridor. Its basic purpose is to connect people with natural amenities, neighborhoods, and social opportunities along its route. The provisions contained herein are intended to shape future development and transform existing development adjacent to the corridor in response to human occupancy of the Greenway space. They define acceptable and appropriate use, space, and activity relationships between adjacent sites and the Greenway so that its benefits to the community may be realized over time.

(The statement of purpose relates the ordinance to basic governmental functions of protecting life and property and identifies the particular needs or purposes pertaining to the Greenway corridor. This Zoning Overlay District is part of the City of Minneapolis's overall zoning code and therefore is in force any time provisions of the Zoning Code take effect, for example, when building permits or grading permits are issued. Existing building may remain as they are until they are modified, and then the Midtown Greenway Zoning Overlay District would apply to changes. As of this April 2002 draft of the Zoning Overlay District, the Midtown Greenway Coalition and the City of Minneapolis are working to determine if there may be instances when, in practice, the City may chose not to enforce Overlay District, or if it may be appropriate and feasible to limit in any way the circumstances under which it applies.)

The following principles established in the Lake Street Midtown Greenway Corridor Framework Plan are stated below as goals for development adjacent to the Greenway. Adjacent development shall:

- 1) Reinforce safe environments
- 2) Be transit, pedestrian, bicycle, wheelchair and stroller friendly
- 3) Establish links to transit and anticipate transit -oriented development
- 4) Foster a sense of place and community
- 5) Support a mix of uses that intensifies land use
- 6) Respect architectural form, scale and context
- 7) Incorporate environmentally sustainable practices
- 8) Support "greening" as a key component of corridor development projects
- 9) Balance economic vitality with quality of life
- 10) Target strategic public improvements to leverage private investment

(The broad and general character of these goals are the reason they are included in the statement of purpose rather than the regulatory requirements of the ordinance. They should be cited here because they are contained in a policy document adopted by the City Council to guide development along the Greenway.)



SECTION II. BOUNDARIES

551.1410. Established boundaries. The boundaries of the MGZOD shall be the areas shown on the official zoning map. In general, the boundaries shall include all land parcels that are wholly or partially within 200 feet from the edge of the Greenway right-of-way. Any publicly-owned open space contiguous to the Greenway shall be considered part of the Greenway for the purpose of defining the MGZOD boundary.

(See attached maps showing boundaries of land included.)

551.1411. Eligible boundaries. Any person having a legal or equitable interest in property located adjacent to a pedestrian, bike, or transit corridor may file a petition to request addition of the MGZOD classification in the manner provided for zoning amendments in Chapter 525, Administration and Enforcement.

(This provision allows property owners outside the district boundaries to seek application of its provisions to their properties if their properties are in physical circumstances similar to those along the Greenway.)

551.1412. Zoning Status. Unless otherwise indicated, when applying the Zoning Code to parcels adjacent to the Greenway right-of-way, the Greenway right-of-way shall be considered as public open space for the purpose of determining use compatibilities, buffers, etc.

(Occasionally, zoning provisions stipulate that a certain land use may not be located next to another or that a special buffer must be provided by the more intense use. Defining the Greenway as public open space gives it the status of a park, rather than a public street in determining what may locate next to it and in what manner.)

SECTION III. DEFINITIONS

551.1420. Definitions. As used in this article, the following words and phrases shall mean:

Greenway centerline: The Greenway centerline shall be defined by the functional rather than purely geographic middle of the Greenway. Unless clearly indicated otherwise, the edge of the bicycle and pedestrian trails nearest the transit or rail portion of the corridor will be considered the Greenway centerline for the purposes of this ordinance.

South Trail Edge: The South Trail Edge shall be defined by the location of the southern most edge of the paved cycling and walking paths in the Greenway.

(This definition supports later provisions which define acceptable building location and height relative to the pedestrian space within the Greenway. That space may not always extend to the geographic center of the Greenway, but is a very identifiable line to someone surveying a site adjacent to the Greenway for future development.)



SECTION IV. USES

551.1431. Prohibited Uses. Uses permitted in the underlying zoning districts shall be permitted except for those specifically prohibited below. These uses are considered incompatible by reason of their deleterious sensory impacts with the purpose and function of the Greenway as a human scale environment for both recreational and transit connections.

Vehicle salvage yards	Industrial machinery sales, service and rental
Meat processing and packaging plants	Vehicle sales or storage
Dry-cleaning plants	Self-service storage
General Industrial Uses (see section 550.30(f)(3))	Community correctional facilities
Automobile Services (see Table 550.1)	Drive-through facilities
Rock crushing facilities	Off-sale liquor stores

(Only those uses that are permitted in some of the underlying zoning districts and that are considered incompatible with the goals of the overlay need be prohibited.)

551.1435 Conditional Uses. Certain uses which are permissible in the primary zoning districts abutting the Greenway nevertheless entail site activities which may either contribute to or detract from the function of the Greenway. Poor design or operation of these uses may create a nuisance or hazard for those within and along the Greenway corridor. In order to shape such site activities in a manner most compatible with the Greenway, the following principal or accessory uses shall be regarded as conditional uses, subject to the provisions of Chapter 525, Administration and Enforcement, Chapter 536, Specific Development Standards, and the following conditions:

Off-street parking facilities, including parking structures and surface lots
Transportation uses (see Table 550-1)
Walls, ramps and other accessory structures visible from the Greenway
Establishments where liquor is sold.
Uses which involve outdoor storage of material or merchandise
Establishments conducting outdoor entertainment or instruction, provided that a sound attenuation plan is provided and all applicable sound and noise regulations are complied with

Conditions: Proposed conditional uses will be evaluated on the extent to which they meet the intent and goals of the MG Overlay District, the appearance of any façade visible from the Greenway or adjacent streets, and the adequacy of buffering and screening of outdoor storage or parking.

(A conditional use will be required to go through the conditional use permit process, including neighborhood review and comment. It should be noted that liquor establishments are licensed separately from beer and wine establishments. Restaurants serving beer and wine only would continue to be permitted uses.)



SECTION V. DESIGN REVIEW

551.1440. Neighborhood Design Review. When a site directly abutting the Greenway right-of-way is proposed for any development regulated under Title 20, both the designated neighborhood citizen participation body and the Midtown Greenway Coalition shall have the opportunity to consider the proposed design before an application is filed with the Planning Commission. Minutes of the neighborhood organization meeting and the Coalition Board or committee meeting shall be submitted to both the Planning Commission and the applicant at least 14 days prior to consideration by the Planning Commission.

(Title 20 is the portion of the City Code which includes Zoning, Sign, and Subdivision regulations. Anything significant enough to require Planning Commission or Council approval under those regulations will also be subject to review and comment by the neighborhood organization in whose territory the site is located. It is recommended that the Midtown Greenway Coalition also be notified as it is a citizen body which relates to the Greenway itself and also possesses expertise in evaluating and commenting on proposals near the Greenway.)

SECTION VI. HEIGHT LIMITS, SOUTH SIDE

551.1450. Height: The height of a structure, or any part of a structure, measured from the elevation of the Greenway south trail edge, shall be no more than half the lateral distance from the south trail edge (a 1:2 slope). See Exhibits A.1, A.2 and A.3.

(The height limit on the south side is imposed to allow daylight to reach the pedestrian side of the Greenway. From the standpoint of the police power, the enhancement of visibility and therefore safety afforded by such a height restriction is a proper zoning concern. Safety is also enhanced by sunlight melting snow and ice along the bike and pedestrian trails. No additional building setbacks are required, since the presence of activities close to the Greenway can increase its use and enhance security. However, this section would require that building facades "step back" from the right-of-way to maintain a path for daylight to reach the pedestrian side of the Greenway.)

551.1451. Density Credit for land dedication. Owners of land parcels which abut the Greenway may (by easement or fee title) dedicate land adjacent to the Greenway for additional public open space use in return for a floor area ratio or density credit for the use located on the remaining land.

- 1) Credit shall be based on the applicable standard in the underlying zoning district.
- 2) The credit shall apply to all requirements affecting land use density and intensity (floor area ratio, units per acre) and shall be equal to the twice the ratio of site area dedicated. For example, dedication of 1,500 square feet of land area would result in adding housing density or floor area based on 3,000 square feet of lot area
- 3) The minimum land area dedicated for this credit shall be 1,500 square feet.
- 4) The property owner may propose and the City may accept an alternative allocation of the allowable credits that differs from the base formula outlined above, if more appropriate to the use of the site, provided that the proposal meets all standards of use compatibility.
- 5) The credits and allowances in this Section shall not excuse a development governed by this overlay district from the height limits established in section 551.1450.



(The purpose of this provision is to encourage adjacent landowners to add to the public open space of the Greenway by allowing about twice the building space that would normally be achievable from the same area of land in private development. The density credits are taken from the primary zone restrictions, not from the overlay zone.)

551.1453. Parking credits. Any commercial or industrial use which provides a bicycle or pedestrian access to its site from the Greenway shall be entitled to a 20% credit toward its parking requirement. If the use provides bicycle parking racks, a documented transportation demand management (TDM) plan for employee ridesharing, and is within 300 feet of a transit stop, it shall be entitled to a further reduction of up to 20% in the number of parking stalls normally required by this ordinance for such use.

(This is a much stronger credit than allowed by the present ordinance (Sec. 541.190 = 10%) and represents a serious orientation to mass- and human-powered transit. However, it will need to be well documented before the full credit can be granted.)

551.1455. Building facade. This requirement applies to new construction of buildings, other than one- and two-family dwellings, on parcels that abut the Greenway. On such parcels, the facade of any building wall visible from the Greenway shall conform to the requirements of section 530.110 of the Zoning Ordinance requiring a certain percentage of the facade to be transparent. Where buildings have ground-level occupiable space at an elevation closer to the Greenway cycling and walking paths than the surrounding streets, at least one building entrance facing the Greenway shall be provided.

(This provision is consistent with existing code and adds a requirement for building access to the Greenway where habitable space exists at that level. The purpose of this section is to foster visual and physical connection between the Greenway and adjacent sites to promote safety and social interaction.)

SECTION VII. PEDESTRIAN CONNECTION

551.1460. Street-level pedestrian promenade. In locations between Humboldt Avenue and Longfellow Avenue where a street level pedestrian promenade is recommended by adopted City plans, a property owner may dedicate to the City an easement not less than 12 feet in width for a public pedestrian way adjacent to the Greenway and connected at the boundaries of the site to adjacent segments of that pedestrian promenade. Such dedication of space shall entitle the property owner to a density credit as outlined in section 551.1451.

(This provision treats space donated for the street-level pedestrian promenade the same as open space. By facilitating pedestrian movement along the Greenway corridor, some properties can increase the flow of potential customers - who don't need a parking space - or neighbors that passively provide property surveillance as they pass by.)



551.1461. Private pedestrian connection. Any private site or common area of a Planned Unit Development which abuts the Greenway may establish a pedestrian connection to the Greenway provided it is designed and constructed so as to prevent access by motorized private vehicles. Before constructing such a connection, the owner of the site shall first obtain an access permit from the Minneapolis Department of Public Works.

551.1462. Walkway and stair connections. Walkway and stair connections into the Greenway from adjacent sites are encouraged, subject to certain design requirements of the Uniform Building Code. Since such connections will extend into the Greenway right-of-way, no permit for such construction shall be issued without the consent of the Hennepin County Regional Railroad Authority.

(The above two sections govern pedestrian connections between private sites and the Greenway. The first case does not require any construction within the Greenway right-of-way, merely an appropriate opening small enough to prevent motorized vehicles. The second case is that of a grade connection between street-level and Greenway level which occurs within the Greenway right-of-way itself. It is rare that such a stair would be constructed by private effort. However, because of the need to increase accessibility - not necessarily handicapped - between the street and the Greenway, a property owner who desires to construct such a connection on their own should only have to meet the requirements of the Building Code and the HCRRA's policies for location in order to gain permission.)

SECTION VIII. OTHER SITE REQUIREMENTS

551.1470. Buffer and screening requirements. The following site activities are deemed to have a detrimental effect on the character of the Greenway corridor as a place for pedestrians and should wherever possible be located in yards other than along the Greenway. Such activities within yards abutting the Greenway right-of-way shall be completely screened if visible from the Greenway. A minimum 10' buffer strip shall be established along the property line between the following activities and the Greenway. Within this buffer strip, opaque or substantially opaque screening by walls, fences, or vegetation shall be provided in accordance with section 530.160 of this ordinance.

The site activities to be screened include:

- Parking and driving areas
- Outdoor storage of material or merchandise
- Exterior docks and bays for loading and unloading
- Trash disposal facilities
- Mechanical equipment (such as air handling units)

(The above section is a consolidation of what requires buffering and screening and establishes 10 feet as the minimum buffer width. This slightly exceeds the current ordinance standard which is generally 6 to 8 feet in width. It also establishes a requirement for total screening of certain activities, not token window dressing. It is a very high standard in keeping with an understanding that the Greenway is now public open space, not an industrial alley.)



551.1472. Placement of fences, hedges, or walls. Fences, hedges or walls within yards abutting the Greenway right-of-way shall not impede visibility of the Greenway from the site except as necessary to screen an outdoor parking, loading, or storage area as specified in Section 551.1470. Screening of outdoor human activities such as dining and entertainment need only be sufficient to indicate the limits of public space.

(While fences, hedges, and walls accomplish the public purpose of screening certain unsightly activities from the Greenway, they can also violate the public purpose of necessary access or visual connection between public spaces or between certain private spaces and public space. Unnecessary screening is therefore discouraged.)

SECTION IX. SIGNS

551.1480. Signs. It is recognized that signs inform users of the Greenway of their location and therefore contribute to spatial awareness and empowerment. Nevertheless, the Greenway is not a commercial corridor and buildings which have no direct physical connection to the Greenway have no need to communicate more than essential information to the Greenway space. Therefore, no freestanding identification sign of any adjacent site shall be placed in a yard abutting the Greenway. Identification signs and building addresses placed on walls facing the Greenway shall not exceed 18" in height, unless the establishment chooses to open a public entrance facing onto the Greenway. In such cases, wall and projecting signs are permitted on the same basis as are allowed on walls facing public streets in the applicable primary zoning district. Signs may be internally lit, but not flashing. No off-premise signs shall be placed in yards or on walls or roofs visible from the Greenway. Directional signs shall be limited to indication of a building entrance.

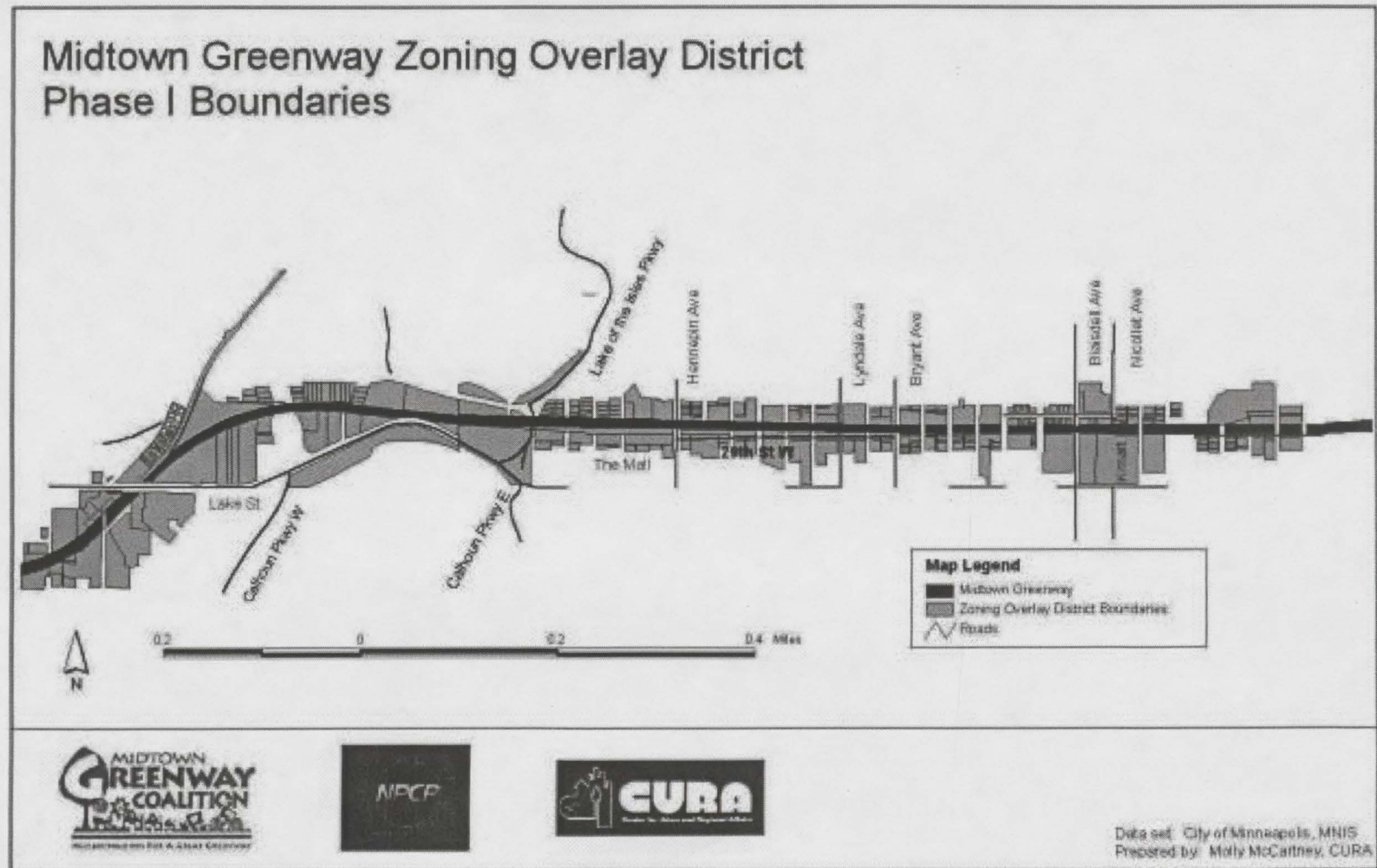
(The Greenway is a unique space with unique needs for visual communication. People who can identify where they are better able to get help or directions than if they can only see blank walls and street markers too small to read from more than 30 feet away. Limiting the height of identification sign letters to 18 inches provides necessary legibility without much room for in-your-face advertising. Since there is no auto traffic to appeal to, there is no need for freestanding pylon signs or billboards in yards facing the Greenway. Again, the character of the Greenway is that of public open space, not the Las Vegas strip. Businesses with Greenway building access would enjoy normal sign privileges on those facades.)

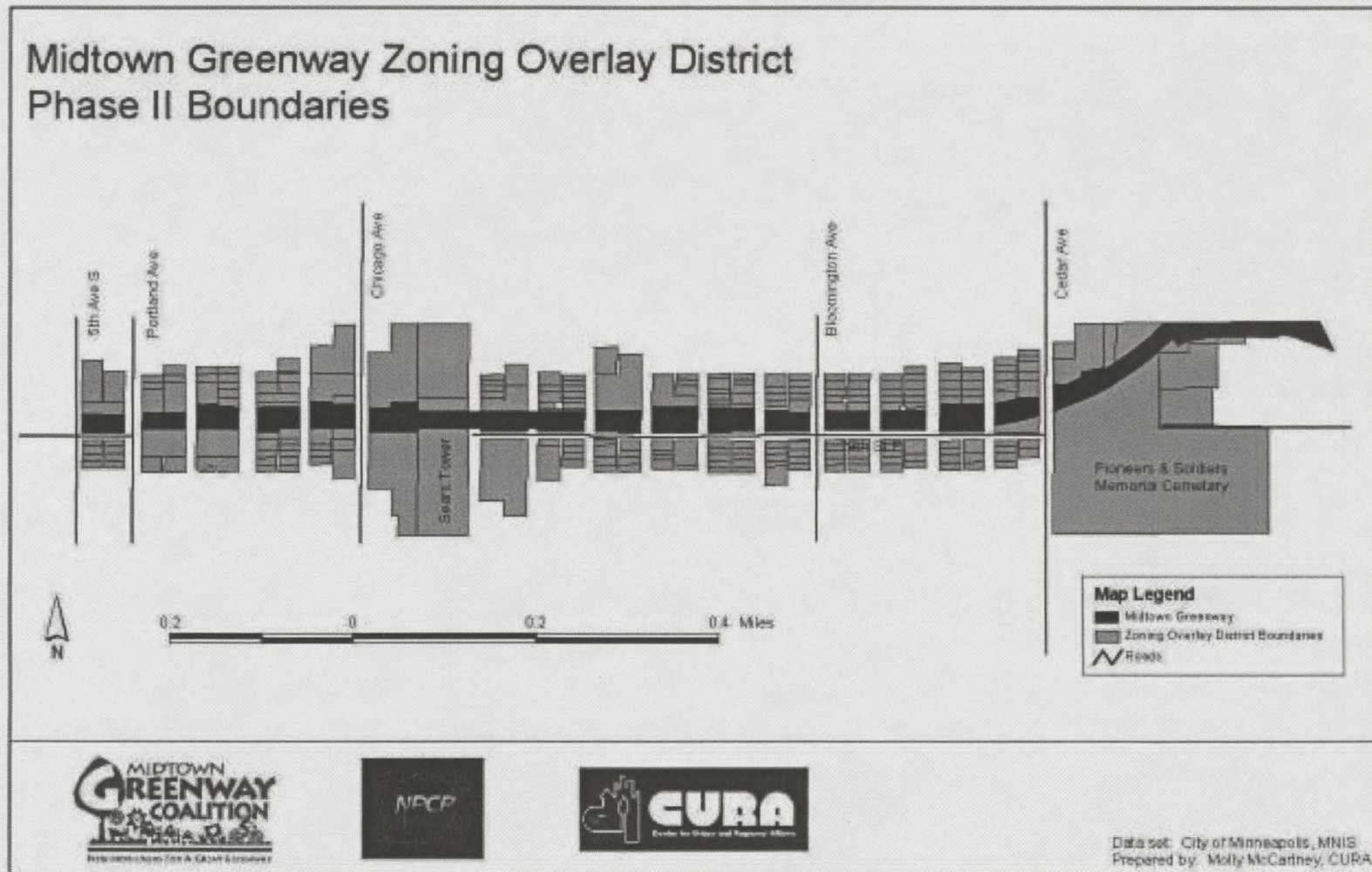
(Noise requirements in previous draft have been deleted – they are covered by another section of the City Code, not the Zoning Ordinance)

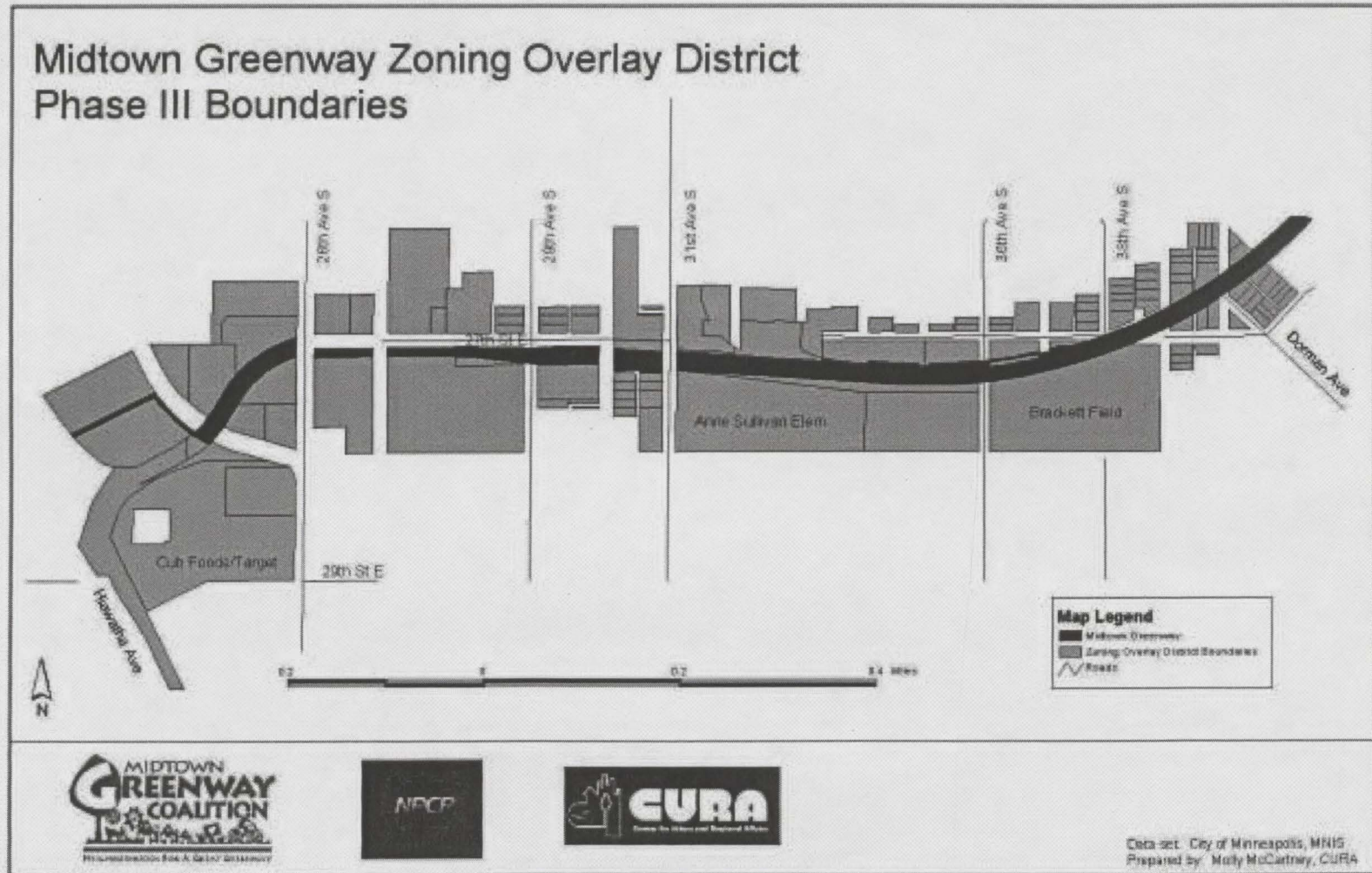
551.1492. Drainage. Adjacent sites and buildings shall be designed and constructed so that stormwater drains away from the Greenway. Where a site is modified to create outdoor space adjacent to, or extending into, the Greenway, a rainwater garden or other effective vegetated filter strip shall be installed in accordance with Best Management Practices and with the policies of the governing Watershed District.



(There is no storm sewer in the Greenway at present. Previously, all development adjacent to the rail corridor was required to shed water away from it. If new development brings human occupancy to the edge of the Greenway, it will also likely bring the potential for runoff. In some cases, it may be possible to use drains connected to storm sewer lines under adjacent streets. In cases where this is not possible or not desirable, installation of a well designed vegetative filter strip should be sufficient to meet Watershed requirements for water quality and runoff attenuation during moderate storm events.)







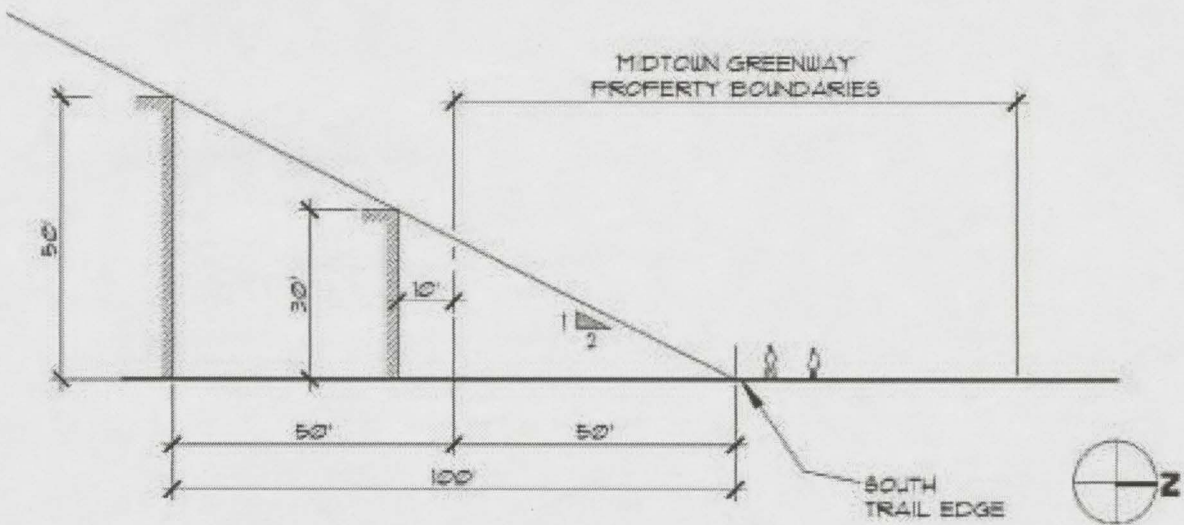


EXHIBIT A1: EXAMPLES OF ALLOWABLE BUILDING HEIGHTS AT A TYPICAL CROSS SECTION WHERE THE MIDTOWN GREENWAY IS AT GRADE (EXACT CORRIDOR DIMENSIONS MAY VARY).

